

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

DWIGHT RYAN,)	
)	
Plaintiff,)	
)	
v.)	No. 11-cv-01257
)	
PACE SUBURBAN BUS DIVISION OF THE)	
REGIONAL TRANSPORTATION AUTHORITY,)	Honorable Charles P.
an Illinois municipal corporation,)	Kocoras
)	
Defendant.)	

DEFENDANT’S MOTION FOR SUMMARY JUDGMENT

Defendant, Pace Suburban Bus Division of the Regional Transportation Authority (“Pace”), by and through its attorneys, Thomas G. Draths and Clare J. Quish of Schuyler, Roche & Crisham, P.C., moves the Court pursuant to Rule 56 of the Federal Rules of Civil Procedure for summary judgment in its favor and against the Plaintiff, Dwight Ryan (“Plaintiff”) on all counts of Plaintiff’s First Amended Complaint and states as follows:

For the reasons and other grounds set forth in Defendant’s Memorandum of Law in Support of its Motion for Summary Judgment, which is filed herewith and incorporated herein by reference, Pace moves for summary judgment in its favor and against Plaintiff on all counts of Plaintiff’s First Amended Complaint. Plaintiff’s receipt of Social Security disability benefits and his admissions made to the Social Security Administration in pursuit of those disability benefits judicially estop him, as a matter of law, from proceeding with his claims under the Americans with Disabilities Act and Family and Medical Leave Act against Pace. There is no material issue of contested fact and Pace is entitled to judgment as a matter of law on all counts of Plaintiff’s First Amended Complaint.

WHEREFORE, the Defendant, Pace Suburban Bus Division of the Regional Transportation Authority, prays this Court grant summary judgment in its favor and against the Plaintiff Dwight Ryan on all counts of Plaintiff's First Amended Complaint. Defendant further asks this Court to stay all discovery in this case pending the resolution of this Motion for Summary Judgment.

Respectfully Submitted,

Pace Suburban Bus Division of the Regional
Transportation Authority

By: /s/ Thomas G. Draths
One of Its Attorneys

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